



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Avi J. ASHKENAZI	
Confirmation No.: 1337	Examiner: Gary B. Nickol
Serial No.: 09/993,234	
Filed: November 19, 2001	Group Art Unit: 1642
For: APO-2LI AND APO-3 POLYPEPTIDES	

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

MAIL STOP AF
 Commissioner of Patents
 U.S. Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner, mailed December 14, 2004, finally rejecting claims 34, 36-39.

A petition to extend the period for submitting the Notice of Appeal in response to the Final Office Action, dated December 14, 2004, is being filed concurrently herewith.

A Response/Amendment Transmittal and Petition for Extension of Time, along with authorization to charge \$1,520.00 (\$500.00 filing fee for the Notice of Appeal, plus \$1,020.00, the three month extension fee under 37 C.F.R. § 1.117(a)(3)) to Sidley Austin Brown & Wood's Deposit Account No. 18-1260, referencing Docket No. 22338-1207, is respectfully submitted herewith. In addition, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee or credit any overpayment to the same account.

Respectfully submitted,


 David L. Devernoe
 Registration No. 50,128

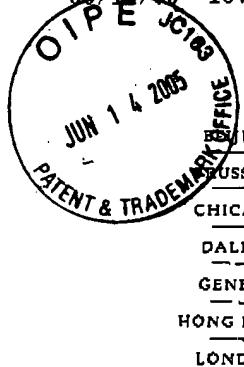
Date: June 14, 2005

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PAGE 8/8 * RCV'D AT 6/14/2005 3:38:12 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/1 * DNIS:7464000 * CSID:202 736 8714 * DURATION (mm:ss):02:34

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From: David L. Devernoe	Ext.	Floor: 10th

RE: Serial No.: 09/993,234 Group Art Unit: 1642
 Confirmation No.: 1337 Examiner: NICKOL, Gary B.
 Filed: November 19, 2001
 Applicant: Avi J. ASHKENAZI
 For: APO-2LI AND APO-3 POLYPEPTIDES

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

I CERTIFY THAT THE FOLLOWING DOCUMENT IS BEING TRANSMITTED TO THE USPTO AT FAX NUMBER (703) 746-4000 ON THE DATE SHOWN:

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PETITION FOR THREE MONTHS EXTENSION OF TIME (1 PG)
NOTICE OF APPEAL(1 PG)


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